

not know who they were and couldn't identify them and didn't know whether they were either men or women. Is there anything further?

MR. SIMPSON: No.

MR. PFEIFFER: That is all.

WITNESS: PHILIP, a witness produced on behalf of the state, being duly sworn according to law upon his oath testified as follows:

DIRECT EXAMINATION BY MR. SIMPSON:

Q Mr. Philip, where do you live?

A 72 Dennis Street, New Brunswick, N. J.

Q And on the 14th day of September, 1922 where did you live?

A Commercial Avenue.

Q Now, you made a statement in this case. Where did you make the statement? In the prosecutor's office or where?

A Up in the prosecutor's office in New Brunswick.

Q Now then, were you employed at the Woman's College in New Brunswick on September 14th?

A I were.

Q What were you doing at that time? What was your work?

A I was a night watchman.

Q What time did you start to work?

A About 7 o'clock in the evening.

Q. And was there any particular thing that you watching that night, or were you just doing your general work?

A. Just my general work.

Q. Were you there between the hours of 12 and 2?

A. I was.

Q. Where were you watching then?

A. Along Nichol Avenue and George Street.

Q. Did you complete a round and sit on the porch of Cooper's Hall for a while?

A. I did.

Q. What did you hear if anything while you sat on this porch at Cooper Hall?

A. Why, I heard a dog carrying on in the back of Redmond Street.

Q. What was he doing, the dog, to attract your attention?

A. He was barking very loudly, making a lot of noise.

Q. How was he barking?

A. He was making a lot of noise, it wasn't an ordinary bark.

Q. Then what did you do when he barked? Did you go to the rear gate on Redmond Street?

A. I did, the way the dog was carrying on I thought it must have been prowlers around there so I went in the back to see what was going on.

Q. Did you see anything? A. I did.

Q. What did you see?

A. I saw a woman walking on Redmond Street.

Q. Where did she go?

A. Why, she went in one of the entrances, the rear entrance on Redmond Street, on the Hall property.

Q. How close was she to you?

A. Why, she passed right opposite the street from me.

A. Well, about thirty or forty feet?

A. Well, I guess that is about the width of the street.

Q. Where were you standing when you first saw her?

A. At the gate, the rear of Cooper hall.

Q. Did notice how the woman was dressed, whether she had a coat on or whether she didn't have a coat?

A. She had a coat on.

Q. Was it a long coat?

A. Yes.

Q. Did you notice whether she had a hat on?

A. I couldn't see.

Q. When she passed did she pass under a light or on the side of the street where there were no lights?

A. No, I never said -

Q. That is, it is a street where there were no lights?

A. Yes.

Q. Did anybody come out?

Any man named Sennet come out?

A Yes, after this party disappeared, there is a house near the College, there is a fellow named Sennet lives there, came out on his porch. I asked him if everything was Okay.

Q No was it the Redmond Street entrance you went through?

A Redmond Street, correct.

Q From the distance you were could you identify the woman, could you tell it was Mrs. Hall or wasn't Mrs. Hall or who it was?

A I wasn't looking close enough. When I went out in the back I expected to see a man there so when I saw a woman there I didn't look very close.

Q What did you do after that?

A Well, I saw this Bennet Come out on the porch there and ask him if everything is Okay. He said, "I guess so, that blooming dog of mine must have heard you." I said, "No, he didn't hear me, a woman just went into the Hall Grounds." He said, "A woman this hour of the morning?" I said, "Yes, those things will happen." That is the only conversation between Bennet and myself.

Q Are you still employed at the Woman's College?

A No sir, I resigned from there about 2 and one half years ago.

Q Now, can you fix the time when this woman went into the Hall house? The rear entrance, I mean about A what time was it?

A I completed this round about half past two. That is on the corner of Bishop Street and George Street and Cooper Hall is up the next block, about half ways up, probably took about five minutes to walk up there. I sat there about ten minutes. That would bring the time up to three forty five.

THE COURT: Two or three forty five.

MR. SIMPSON: Two forty five.

Q Now, you know a man named De Martini? A I do.

Q Has he sent any checks to you and said it is better for you to shut up your mouth and not tell what you know about this case or anything of that kind?

MR. PFEIFFER: I object to such a statement for the implication.

MR. SIMPSON: What is the objection? It might show that De Martini was employed by the parties in this case and was in the case, and was authorized, if I can show he sent down people to threaten this man I think it is important. I can tie it right up to one of these defendants.

THE COURT: I think that it would be relevant if you had shown that De Martini was in the employ

MR. SIMPSON: I can only go step by step.

MR. De Martini is not a resident. He has not been around here as far as I know lately, and I have got to show that by the evidence. I won't press the question until I ask Mr. Bergen about it.

(Conference between Mr. Simpson and Mr. Bergen.)

MR. SIMPSON: Yes, I will reframe the question.

Q Is it a fact that Mr. De Martini, the detective, sent people to you, threatening you, I don't say with what, but just threatening you if you continued to tell the story about having seen the woman that you described go into the rear of the Hall House, early in the morning of September 15th, 1922?

THE COURT: How could he know.

MR. PFEIFFER: The question is obviously objectionable from the way it is put.

THE COURT: Unless counsel informs me that he will couple it up -

MR. SIMPSON: I am dealing now with a man outside of the state and I am telling you with the best of intentions, that I can couple Mr. De Martini up with these people. I don't know. That is the theory I am asking this question on. He may know.